

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

STEPHEN BUSHANSKY, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

SMARTSHEET INC., MARK MADER, ALISSA  
ABDULLAH, GEOFFREY BARKER, MICHAEL  
GREGOIRE, MATTHEW MCILWAIN, KATIE  
ROONEY, KHOZEMA SIPCHANDLER, ROWAN  
TROLLOPE, JAMES WHITE, AND  
MAGDALENA YESIL,

Defendants.

Case No. 1:24-cv-08648-ALC

**JOINT STIPULATION REGARDING  
BRIEFING SCHEDULE ON  
PLAINTIFF'S REQUEST FOR AN  
AWARD OF ATTORNEY'S FEES AND  
EXPENSES**

Plaintiff Stephen Bushansky (“Plaintiff”) and Defendants Smartsheet Inc. (“Smartsheet”), Mark Mader, Alissa Abdullah, Geoffrey Barker, Michael Gregoire, Matthew McIlwain, Katie Rooney, Khozema Shipchandler, Rowan Trollope, James White, and Magdalena Yesil (“Defendants”) (collectively, the “Parties”), through their undersigned counsel, hereby stipulate to a first extension of time to respond to the Complaint in this matter, and declare as follows:

WHEREAS, Plaintiff filed his complaint (“Complaint”) on November 14, 2024 (ECF No. 1);

WHEREAS, Defendants waived service in this matter on November 21, 2024, extending Defendants’ deadline to respond to the Complaint until January 21, 2025 (ECF Nos. 12-21);

WHEREAS, the Complaint asserted disclosure claims with respect to the proxy (“Proxy”) filed by Smartsheet with the SEC on November 4, 2024, in connection with the proposed sale of Smartsheet to affiliates of Blackstone Inc., Vista Equity Partners Management, LLC, and Platinum Falcon B 2018 RSC Limited, for \$56.50 per share in cash

WHEREAS, on November 27, 2024, Smartsheet filed certain supplemental disclosures (“Supplemental Disclosures”) to the Proxy with the SEC that mooted the disclosure claims in the Complaint;

WHEREAS, the only issue remaining in the case is Plaintiff’s request for an award of reasonable attorneys’ fees and expenses based on Plaintiff’s position that he caused Defendants to file the Supplemental Disclosures, and thereby conferred a substantial benefit on Smartsheet shareholders, while Defendants dispute the significance of such alleged benefit or entitlement to a fee, and with respect to which both parties reserve all rights;

WHEREAS the Parties agree to meet and confer in good faith in an effort to resolve their

differences over an award of attorneys' fees and expenses, and if no agreement is reached the parties will brief Plaintiff's request for such an award as per the briefing schedule below;

THEREFORE the Parties HEREBY STIPULATE AND AGREE, as follows:

Plaintiff shall file a motion for an award of attorneys' fees and expenses within 45 days from the entry of this Order;

Defendants shall file any opposition to a motion for award of attorneys' fees and expenses within 45 days thereafter;

Plaintiff shall file any reply to his motion for award of attorneys' fees and expenses within 21 days thereafter.

Dated: January 17, 2025

Respectfully submitted,

By: /s/ Dean S. Kristy \_\_\_\_\_

Dean S. Kristy (DK-6007)

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By: /s/ Juan E. Monteverde

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*Attorneys for Plaintiff and the Proposed Class*

So Ordered:

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The Honorable Andrew L. Carter  
United States District Judge

**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that on January 17, 2025, the foregoing document was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ *Dean S. Kristy*  
Dean S. Kristy